

Vice Chairperson Raley called the regular meeting to order at 6:30 p.m. Commissioners Oelke, Jahn, and Pfalzgraff were present while Commissioner Bell arrived shortly after the meeting began. Chairperson Roberts was absent and the 7th position remains vacant. Glen Black, Director of Community Development and James Shoopman, City Planner also attended.

Citizen Comments

There were none.

Commissioner Pfalzgraff affirmed that the Commission had a quorum (minimum of 4 members to proceed) while waiting for Commissioner Bell to arrive.

Rezone Request of lots 11-15 of the Garnet Hills Estates: located at 13th Street & Bluff Place

Vice Chairperson Raley opened the public hearing and requested staff's report and recommendations.

The following was presented by James Shoopman, City Planner.

Proposal:

The applicant is in the process of combining lots 11-15 of the Garnet Hillsides Estates revised subdivision into (3) lots and vacating the 2nd cul de sac to the east.

The applicant is requesting that the property's zone district be changed from R-2 to R-3 so that triplex units can be built on the remaining 2 lots (once replatted). One duplex currently exists on lot

Criteria for Rezoning:

*According to section 17.04.270 of the City Municipal Code, amendments to the Zoning Map involving any change in the boundaries of an existing district or changing the district designation of an area shall be allowed **only** upon findings as follows:*

- 1. The amendment is not adverse to the public health, safety, and welfare; **and***
- 2. a. The amendment is in substantial conformity with the Master Plan; **or***
 - b. The existing zoning is erroneous; **or***
 - c. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.*

The applicant has presented an outline of how his request meets the criteria of the Municipal code (see applicant's letter).

(1) petition was received not in favor of the rezone request.

Staff Recommendations:

Staff recommends careful consideration of the request. If Planning Commission recommends approval, Staff recommends that the zone change be conditioned upon concurrent recording of the proposed boundary adjustment.

Commissioner Pfalzgraff asked where the access would be located to the three proposed lots.

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Mr. Shoopman replied that staff has required a joint access because the lots are narrow in front near the cul de sac. He stated that generally the municipal code requires a 25 foot minimum width at front by the cul de sac, but because it already exists with an unusual circumstance, the code allows variation to correct non-conformities that currently exist.

Commissioner Pfalzgraff asked if it was staff's recommendation to finalize this process.

Mr. Shoopman clarified that a boundary adjustment is done administratively whereas the rezone request is the issue for the Planning Commission to address. He explained that the applicant could have built on the existing 5 lots to an R-2 density. Staff supports the applicant's new design.

Commissioner Bell stated his concern that non conforming lots will be created administratively with the boundary adjustment.

Mr. Shoopman explained that the cul de sacs were currently platted. Staff feels the new design vacating the second cul de sac and combining lots is a better design. He explained how the code allows for this.

Commissioner Oelke asked if the applicant had already combined two lots in order to build the current duplex. She asked if the current zone district allows duplexes.

Mr. Shoopman replied that R-2 zoning allows duplexes. He explained that lots can be combined administratively through the County, but in order to re-subdivide a property within the City it must go through our process.

Commissioner Oelke questioned if the change would only affect the other two proposed lots since he had already built the duplex on two lots.

Vice Chairperson Raley responded that the three proposed lots are all included in the rezone request.

Mr. Shoopman explained that all should be zoned the same, in order to avoid spot zoning. He stated that in the event the rezone request is denied that the applicant could still proceed with the boundary adjustment creating the three lots and could still build a duplex on each lot.

Commissioner Bell asked if this would be considered a replat.

Mr. Shoopman replied that it would be a boundary adjustment plat.

Neighboring zoning districts and their allowed density were discussed to determine if the proposed zone district would fit in.

Commissioner Oelke asked staff to clarify where the Housing Authority had proposed to build and what density their zone district would be allowed.

Staff clarified the location of the Housing Authority's project and the density their zone district.

Vice Chairperson Raley requested the applicant's presentation.

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Sydney Ropp, owner, gave a brief history of the development of the property prior to his ownership. He explained why he chose to propose the request for rezoning to build 2 triplexes verses duplexes for cost effectiveness. He referred to the City of Delta's Comprehensive Plan; Land Use Goals; and quoted, "Guide the location of new growth so as to assure the maximum utilization of land, public utilities and services," in his letter to the Commission. He showed where the parking would be.

Commissioner Bell asked if there was a drain ditch around the lots.

Mr. Ropp showed where drainages were located and also the direction of their flows that had been engineered.

Commissioner Bell asked if the neighboring property immediately east had access.

Mr. Ropp stated that to his knowledge he did not believe that that property had access.

Commissioner Bell questioned if that the applicant's main reason was to increase his return.

Mr. Ropp replied that yes to put it simply.

Vice Chairperson Raley requested public comment.

Richard Simmons, 625 Bluff Place, stated his concern for building on a hill. He stated that most of the drainage comes off of that property. He showed where he thought the sewer line or drainage was installed. He stated that the area would have to be built up in order to get the parking where it has been proposed. He stated that he has concern for the stability of the duplex with the water drainage from the hill during heavy weather conditions. He asked what the staff's recommendation was for a utility easement.

Mr. Shoopman replied that the City's Standards and Spec's for a residential curb cut ingress-egress allows 10-25 feet in width. He stated that this curb cut would have to comply with the dimensions allowed.

Commissioner Oelke asked what the dimensions proposed from the applicant are proposed for his curb cut.

Mr. Shoopman replied that he did not know at this point because this plan has not been platted and is under review. He stated that when the site development plans are submitted with the building permit, that it would be reviewed at that time.

Henry Cota, 620 Bluff Place, he stated that the road is very narrow from a lot of parking on the street and turning around is difficult. He stated his concern for an increase in traffic because at least 14 small children live on Bluff Place. He stated that increasing the applicant's profit does not seem to be a good reason for an increase in traffic creating a higher risk for accidents. He stated his concern for no retaining walls to keep the mud from coming down. He asked if there were any retaining walls indicated in the plans.

Commissioner Pfalzgraff responded that the rezone is what they are currently determining they are not involved with developing at this point.

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Mr. Cota emphasized that his two main concerns are for the increase in traffic and the need for retaining walls.

Richard Simmons stated that 14 more vehicles may require more space for turning around.

Commissioner Bell stated his concern for the parking of additional vehicles factoring in the significant steep grade in front of the cul de sac. He asked staff for the length of the new cul de sac.

Mr. Shoopman clarified that the street in question is a local street, and that the code allows vehicles to back out onto the street. He explained that vehicles do not need to have onsite turn-around in order to exit forward they can back out into the cul de sac because it is a local status. He stated that once the boundary adjustment is processed that the length of the cul de sac will shorten decreasing the amount of non-conformities.

Commissioner Bell asked if all the other units that had been built at Bluff Place were duplexes.

Mr. Shoopman replied that to his knowledge they are all single family dwellings.

Commissioner Jahn asked what actual pitch had been proposed for the parking area.

Mr. Ropp answered by describing his plans in detail.

Vice Chairperson Raley reviewed a petition letter that opposed to the rezone from Rachel L. and Pobrias A. King. He closed the public hearing and requested commissioner comments.

Commissioner Oelke stated that she did not feel that the applicant has met the criteria. She stated that no conditions in the area have changed to cause it to change the zoning.

Commissioner Oelke motioned to not recommend approval to City Council of the request to change the zone district from R-2 to R-3 for lots 11-15 of the Garnet Hillside Estates, located at 13th Street & Bluff Place.

Commissioner Bell seconded the motion.

Commissioners Bell, Jahn and Oelke were in favor of the motion.

Commissioners Pfalzgraff and Raley were opposed.

The motion for not recommending approval was carried.

Minutes

Commissioner Oelke noted a change be made to the second sentence of the first paragraph on the 7th Page; Minor, corrected to Miner.

Minutes continued...

Commissioner Bell motioned to approve the minutes from December 3rd, 2007 Regular Planning with the correction made.

Commissioner Pfalzgraff seconded the motion.

All were in favor and the motion carried.

Commissioner & Staff Comments

Commissioner Bell asked if there would be a comprehensive plan update. He stated his concern that at the last meeting that there wasn't enough participation from the community or other people besides staff. He stated that he felt the committee's participation was minor. He presented a review and assessment sheet for goals and objectives of the comprehensive plan to be used when evaluating upcoming projects. He expressed that he was most disappointed at the public workshop when the new consultant stated that he was creating a new comprehensive plan. Commissioner Bell had the impression from the previous consultant that they were updating the old plan. He commented that this idea needs to be emphasized to the consultant in order to keep the appreciative assets of old structure.

Mr. Black replied that the consultant had requested that the Steering Committee have a meeting this month and that a date needed to be set. He asked the commissioners for their feedback.

Commissioner Raley commented that much of the public does not know about The City of Delta's Comprehensive Plan which could be due to lack of education or interest.

Commissioner Bell stated that he felt the elimination of various committees decreased the public's participation. He stated that he would like us to demonstrate being proactive.

Commissioner Jahn commented that he believes the lack of participation was due to not getting the word out.

Staff responded that ads were posted in two of the local papers for 2-3 consecutive weeks, public radio announcements were made, and staff invites school district comments routinely. Fortunately at this last meeting there was a school representative present.

Commissioner Bell stated that he would volunteer to make phone calls.

Commissioner Pfalzgraff stated that something was lost when Mr. Tom Maynard passed on. He stated that he felt dumbstruck when Mr. Boeschenstein stated that he had not compared any part of this new plan with the old. He stated that he had completely different understanding of how the process was going. He affirmed that the old plan was a good plan with a lot of good things that simply need to be updated. He stated that even the process of updating the old plan was good. He concluded that he believes that the consultant should be focusing more on the updating as opposed to reinventing what is and has been working.

Commissioner Bell stated that terms and dates should be better defined and specific.



Commissioner & Staff Comments continued...

Commissioner Pfalzgraff stated that a summary of projects should be reviewed to see how they fit into the plan.

Mr. Black commented that the Steering Committee needs to communicate their concerns in order to guide the consultant to achieve the community's expectations of his services, following the terms of the contract.

Thursday, January 24th at 6:00 p.m. was decided as the next proposed Steering Committee Meeting date.

Meeting adjourned at 7:58 p.m.

Lee A. Barber, Executive Secretary
Community Development